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June 20, 2014

Honorable Shira A. Scheindlin
United States District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

RE: *United States v Allie et. al.*, 13-CR-242

Dear Judge Scheindlin,

I have relentlessly been preparing for trial in this matter, and any delay in filing, for instance, a motion in limine to preclude 404 (b) evidence was a result of having received the government's first notification on June 13, the day motions were due. There was subsequent notifications of additional criminal activity after that first notification. As a result of other matters, a Brady motion, a Touhy application etc. I have been unable to properly prepare the defendant's requests to charge and voir dire and respectfully request until June 27 to file.

Today I received a new superseding indictment adding a new a separate count for which I have advised the government that I will be filing a severance motion and/or request for an adjournment of the trial. I anticipate I shall file that by the end of this weekend. If a severance is moved for and granted I anticipate a second 404 (b) motion based on the government's more recent notice, prior to the filing of a superceding indictment, that they intended to offer the same conduct contained within the new count in the trial in any event.

Respectfully,

Stewart L. Orden

* Not for service

cc: All Counsel by (e-mail)